

Oklahoma

Yes, state laws vary greatly. However, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) sets federal guidelines all states must follow to ensure military and overseas voters have the opportunity to vote. The Military and Overseas Voting Empowerment Act (or MOVE Act) further refined these guidelines. Section 20310 (5) defines those covered by UOCAVA as:

(5) "overseas voter" means—

(A) an absent uniformed services voter who, by reason of active duty or service is absent from the

United States on the date of the election involved;

(B) a person who resides outside the United States and is qualified to vote in the last place in which

the person was domiciled before leaving the United States; or

(C) a person who resides outside the United States and (but for such residence) would be qualified

to vote in the last place in which the person was domiciled before leaving the United States

The purpose of the Federal Voting Assistance Program and its website is to be a central clearinghouse for information military and overseas voters might need. Military and overseas voters do not fill out state voter registration forms and absentee ballot requests. They fill out the forms on the FVAP website, which are specifically designed for them and offer access to unique services like e-mail delivery of ballots that regular absentee voters might not be able to use in all states. You can find the answers to your questions there. For example, they list the rules for all 50 states regarding those who have never lived in the United States: <https://www.fvap.gov/citizen-voter/reside> The FVAP site also includes specific pages for each state which provide information about eligibility requirements.

As it pertains to state elections, Oklahoma law mirrors UOCAVA. Any voter eligible to vote in federal elections under UOCAVA is eligible to vote for any election on the ballot in their district, which would be based upon the address where they were last eligible to vote (or would have been if they were underage at the time) or if they never lived in the U.S., the address where their parent or legal guardian was last eligible to vote.

State law regarding UOCAVA voters can be found in Title 26 Section 14 of the Oklahoma State Statutes. Specifically, eligibility requirements mentioned above can be found in Section 14-137: <http://www.oscn.net/applications/OCISWeb/DeliverDocument.asp?CiteID=437898>

Extension of the right of UOCAVA voters to vote in state and local elections can be found in Section 143-138: <http://www.oscn.net/applications/OCISWeb/DeliverDocument.asp?CiteID=462835>

Please let me know if you have any further questions.

Bryan Dean

Public Information Officer

Oklahoma State Election Board

Office phone: (405) 522-6624
bdean@elections.ok.gov

From: heather ventresco [<mailto:hventresco@gmail.com>]
Sent: Tuesday, October 10, 2017 1:48 PM
To: Bryan Dean <Bryan.Dean@elections.ok.gov>
Cc: taugham2@gmail.com
Subject: Re: Message from Website: Voting

Dear Mr. Dean,

Thanks so much for your quick response!
FVAP covers rules which govern federal elections, the rules that govern state elections are left to each state and can vary greatly. Would you mind double checking on that?

As an overseas voter myself (college in Germany), I really value this info, as well as your help!

Thanks again,
Heather

On Tue, Oct 10, 2017 at 8:42 PM, Bryan Dean <Bryan.Dean@elections.ok.gov> wrote:
Questions regarding overseas voting are best answered by the Federal Voting Assistance Program. Federal law covers these questions, not state law. Therefore, I would refer you to their website at: <https://www.fvap.gov/>

Bryan Dean
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Oklahoma State Election Board
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bdean@elections.ok.gov

-----Original Message-----

From: Heather Ventresco [<mailto:hventresco@gmail.com>]
Sent: Tuesday, October 10, 2017 1:35 PM
To: Elections Info <Info@elections.ok.gov>
Subject: Message from Website: Voting

Hello,

I'm a volunteer helping US citizens, living overseas, vote in US elections. We want to make sure

that votefromabroad.org provides accurate and up-to-date voting information. Would you please answer the following questions:

1. If a U.S. citizen is residing abroad and they intend to return, are they allowed to vote in state elections?

2. If a U.S. citizen is residing abroad and their return is uncertain, are they allowed to vote in state elections?

3. If a U.S. citizen has never resided in the United States, are they eligible to vote in state elections?

4. If a US citizen has never resided in the United States, are they eligible to vote in federal elections?

Thank you for taking the time to answer our questions. We appreciate you helping Americans execute one of their most important rights!

Take Care,

Heather Ventresco